

Goal: GOVERNMENTAL EXCELLENCE AND EFFECTIVENESS

Desired Community Condition(s)

City assets are protected while responding fairly to inappropriate City actions.

Program Strategy:LEGAL SERVICES

34508

To provide effective representation and sound legal advise to the Mayor's Office, City Council, and client departments.

Department: LEGAL

Service Activities

- Administration
- Litigation
- Municipal Affairs
- Real Estate and Land Use

Strategy Purpose and Description

To provide effective representation and sound legal advise to the Mayor's Office, City Council, and client departments.

Changes and Key Initiatives

For FY/02 the Employee Relations Office has moved to the Legal Department to better serve the client departments in the administration of the collective bargaining agreements.

The creation of the Community Enforcement and Abatement Division for FY/03 addresses the Administrations concerns over the enforcement of City codes and ordinances. The division will concentrate its efforts in the enforcement of City codes and ordinances; such as housing code enforcement, graffiti vandalism prosecution, vehicle forfeiture proceedings, and Metropolitan Court Arraignment Program.

Priority Objectives

Fiscal Year	Priority Objectives
2005	OBJECTIVE 17. Evaluate the impact of the new state truancy law as well as the effectiveness of the truancy collaborative involving APD, APS, Juvenile Probation, Mayor's Office, BCSO and the District Attorney's Office, to determine its success during the 2003-2004 school year. Make recommendations for addressing truancy issues in 2004-2005 school year, and provide a report to the Mayor and City Council by the end of the first quarter of FY/05.

Input Measure (\$000's)

2001	000	000 FY00 FUND IN FY99 STRUCTURE	2,296
2001	110	110 GENERAL FUND	2,593
2002	110	110 GENERAL FUND	4,889
2003	110	110 GENERAL FUND	3,927
2004	110	110 GENERAL FUND	3,982
2005	110	110 GENERAL FUND	4,861

Strategy Outcome	Measure	Year	Project	Mid Year	Actual	Notes
Litigation free environment for client departments	Reduction in Litigation	2001			640	
		2002	700			

2003 700

2004 700

2005 700

<i>Strategy Outcome</i>	<i>Measure</i>	<i>Year</i>	<i>Project</i>	<i>Mid Year</i>	<i>Actual</i>	<i>Notes</i>
Effective representation involving legal issues that cause client departments to defend procedures and or policies when challenged by employees or the public.	<i>Cases successfully represented by legal Services.</i>	2001			170	
		2002	200			
		2003	200			
		2004	200			
		2005	200			

Goal: **GOVERNMENTAL EXCELLENCE AND EFFECTIVENESS**

Parent Program Strategy: LEGAL SERVICES

Department: **LEGAL**

Service Activity: Administration

3410000

Service Activity Purpose and Description

The Administration activity provides complete financial, budgetary, operational, payroll, rate analysis, human resource services, space allocation, equipment/furniture requirements and (CLE) continuing legal education tracking, and other related support to the Legal Department.

Changes and Key Initiatives

The Administration Division continues to perform their primary function of providing budgetary, fiscal, human resource and other administrative services to the Legal Department at a very high satisfaction rate.

Input Measure (\$000's)

2002	110	110 GENERAL FUND	579
2003	110	110 GENERAL FUND	541
2004	110	110 GENERAL FUND	529
2005	110	110 GENERAL FUND	593

Strategic Accomplishments

FY/00: The Administration Division continues to perform their primary function of providing budgetary, fiscal, human resource and other administrative services to the Legal Department at a very high satisfaction rate.

FY/01: Have conducted preliminary analysis of outside counsel cost versus in-house counsel costs. Funding not available for full analysis in FY

<i>Output Measures</i>	<i>Year</i>	<i>Projected</i>	<i>Mid-Year</i>	<i>Actual</i>	<i>Notes</i>
# services, supplies, equipment & trial preparation requisitions processed	2001				
	2002	400			
	2003	400			
	2004	400			
	2005	400			

<i>Quality Measures</i>	<i>Year</i>	<i>Projected</i>	<i>Mid-Year</i>	<i>Actual</i>	<i>Notes</i>
Will develop survey to be distributed to clients within the Legal Department to determine if internal services are sufficient and satisfactory or need of expansion.	2001				
	2002	NA			
	2003	NA			
	2004	NA			
	2005	NA			

<i>Quality Measures</i>	<i>Year</i>	<i>Projected</i>	<i>Mid-Year</i>	<i>Actual</i>	<i>Notes</i>
% of program strategies under budget appropriation, or less than 5% or \$100,000 over	2001	100%		100% (3/3)	
	2002	100%		33.3% (1/3)	
	2003	100%		100% (3/3)	
	2004	100%			
	2005	100%			

Goal: GOVERNMENTAL EXCELLENCE AND EFFECTIVENESS**Parent Program Strategy: LEGAL SERVICES****Department: LEGAL****Service Activity: Litigation****3423000*****Service Activity Purpose and Description***

The service activity has four areas of concentration: Employment and Personnel, Public Safety, APD Legal, and Torts and General litigation. Attorneys who practice in the employment and personnel area defend lawsuits based on alleged violations of federal and state laws and City ordinances and policies pertaining to employment, such as discrimination. These attorneys also advise and train department administrators on personnel issues and defend disciplinary actions in grievance hearings when the employee retains an attorney. Attorneys who concentrate in the Public Safety area defend lawsuits against the City's law enforcement agencies as well as provide training and advise on law enforcement issues. Attorneys whose practice includes torts and general litigation defend the City and its employees in suits brought under the New Mexico Tort Claims Act, as well as suits against the City based on such diverse issues as freedom of speech and alleged violations of City purchasing ordinances. An attorney provides advice to the Police Department and the City on issues specific to law enforcement.

Changes and Key Initiatives

The Litigation Division continues to perform their primary function of defending and advising client departments at a very high satisfaction rate.

To defend the COA against any & all types of claims including: Federal & State employment claims.

Negligence claims against the City and its employees.

Breach of Contract & Purchasing process claims involving City contracts.

Civil Rights claims involving first amendment rights of freedom, political speech, freedom of religion and equal protection and due process violations.

Environmental litigation both as a defendant and the City acting as a plaintiff to protect the City's Environmental resources.

Representation of the COA and Police Officer lawsuits alleging police rights violations.

Input Measure (\$000's)

2002	110	110 GENERAL FUND	2,014
2003	110	110 GENERAL FUND	1,209
2004	110	110 GENERAL FUND	1,816
2005	110	110 GENERAL FUND	1,857

Strategic Accomplishments

FY/04: Litigation Division has filed 23 graffiti cases in District Court against minors who violate the graffiti ordinance and their parents for damages. Some of these cases overlap fiscal years. These types of City actions will continue increasing the amount of damages the City receives to bolster the Graffiti Removal program.

<i>Output Measures</i>	<i>Year</i>	<i>Projected</i>	<i>Mid-Year</i>	<i>Actual</i>	<i>Notes</i>
# lawsuits received	2001			209	
	2002	220			
# lawsuits received	2003	220			
	2004	220			
	2005	220			

Quality Measures	Year	Projected	Mid-Year	Actual	Notes
% contracts reviewed that stand	2001			99.5%	
	2002	99.5%			
	2003	99.5%			
	2004	99.5%			
	2005	99.5%			

Quality Measures	Year	Projected	Mid-Year	Actual	Notes
Department Client satisfaction with representation of the legal issues provided by Litigation Division	2001			100%	
	2002	NA			
	2003	NA			
	2004	NA			
	2005	NA			

Goal: **GOVERNMENTAL EXCELLENCE AND EFFECTIVENESS**

Parent Program Strategy: LEGAL SERVICES

Department: **LEGAL**

Service Activity: Municipal Affairs

3424000

Service Activity Purpose and Description

The Legal unit provides litigation services, advice and counseling, and work product to all City departments on such issues as zoning and land use, utility franchise, and public works construction, Federal and State environment enforcement and compliance, bond financing programs administered by the City, debt collection, mediation, ordinance enforcement, and purchasing of real property and services.

Changes and Key Initiatives

The Municipal Affairs Division continues to perform their primary function of providing general government legal advocacy to client departments at a very high satisfaction rate.

Input Measure (\$000's)

2002	110	110 GENERAL FUND	2,296
2003	110	110 GENERAL FUND	1,587
2004	110	110 GENERAL FUND	1,637
2005	110	110 GENERAL FUND	1,365

Strategic Accomplishments

FY/04: Continued trial preparation for the "silvery minnow" case continues with extensive mediation and legal briefing for the potential future trial case.

Legal and factual research continue in preparation for a challenge to the EPA standard for drinking water involving the newly adopted "arsenic regulations."

Municipal Affairs staff attorney has drafted amendments to the Police Oversight Ordinance which have been passed by the City Council and Albuquerque Police Officers Association.

Municipal Affairs staff attorney has drafted and implemented the legal organization of the Downtown Albuquerque Business Improvement District.

Closely monitor EPC Process and City review of land -use issues. To eleminate large dollar lawsuits.

<i>Output Measures</i>	<i>Year</i>	<i>Projected</i>	<i>Mid-Year</i>	<i>Actual</i>	<i>Notes</i>
# of government contracts reviewed	2001			640	
	2002	700			
# of government contracts reviewed	2003	700			
	2004	700			
	2005	700			

<i>Quality Measures</i>	<i>Year</i>	<i>Projected</i>	<i>Mid-Year</i>	<i>Actual</i>	<i>Notes</i>
% contracts reviewed and returned within 3 days	2001			79%	
% contracts reviewed and returned within 3 days	2002	95%			
	2003	95%			
	2004	95%			
	2005	95%			

Goal: GOVERNMENTAL EXCELLENCE AND
EFFECTIVENESS

Parent Program Strategy: LEGAL SERVICES

Department: *LEGAL*

Service Activity: Real Estate and Land Use

3439000

Service Activity Purpose and Description

Changes and Key Initiatives

Input Measure (\$000's)

2005	110	110 GENERAL FUND	1,046
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Strategic Accomplishments